North Central Regional Transit District
Board Meeting
Friday, June 1, 2012

CALL TO ORDER:

A regular meeting of the North Central Regional Transit District Board was called to order on the above date by Daniel Barrone, Chair, at 9:12 a.m. at the Buffalo Thunder Resort, Pojoaque, New Mexico.

1. **Pledge of Allegiance**
2. **Moment of Silence**
3. **Roll Call**

Roll call indicated the presence of a quorum as follows:

Members Present:	**Elected Members**	**Alternate Designees**
Los Alamos County	*Councilor Geoff Rodgers [T]*	
Taos County	*Commissioner Dan Barrone*	
Santa Fé County	*Commissioner Kathy Holian*	
Rio Arriba County	*Commissioner Barney Trujillo*	*Mr. Tomás Campos*
Ohkay Owingeh		
Pojoaque Pueblo	*Mr. Tim Vigil*	
San Ildefonso Pueblo		
Santa Clara Pueblo		*Ms. Mary Lou Valério*
Tesuque Pueblo		
City of Santa Fé		*Mr. Jon Bulthuis*
City of Española	*Councilor Tim Salazar*	*Councilor Peggy Martínez*

Staff Members Present

Mr. Anthony J. Mortillaro, Executive Director
Mr. Mike Kelly, Transit Operations Manager
Ms. Kelly Muniz, Financial Manager
Mr. Jim Nagel, PIO
Mr. Pat López, Financial Analyst
Ms. Monica Sartelle, Administrative Assistant
Ms. Linda Trujillo, Service Development and Projects Manager
Mr. Gus Martínez, Fleet Manager
Mr. Mitch Davenport, Contractual Construction Manager

Others Present

Mr. Peter Dwyer, Legal Counsel
Mr. Pablo Sedillo, Sen. Bingaman's staff
Mr. Andrew Jandáček, Santa Fé County
Mr. Greg White, NMDOT
Councilor Chuck Ring, Town of Edgewood
Ms. Elizabeth Martin, Stenographer

4. INTRODUCTIONS

Those present introduced themselves to the Board.

5. APPROVAL OF AGENDA

Commissioner Holian moved to approve the agenda as presented. Commissioner Trujillo seconded the motion and it passed by unanimous voice vote.

6. APPROVAL OF MINUTES

- **Minutes of Regular Meeting on April 13, 2012**

Chairman Barrone moved to approve the minutes of April 13, 2012 as submitted. Commissioner Holian seconded the motion and it passed by unanimous voice vote.

7. PUBLIC COMMENTS

There were no comments from the public.

PRESENTATIONS

- **Recognition of Former Chair, Rosemary Romero**

Chair Barrone presented a plaque to Ms. Romero and a certificate of appreciation of her four years' service to the NCRTD and for serving as Chair of the Board from 2010 to 2012. He thanked her for standing up for the NCRTD during times of criticism and stress.

Ms. Romero thanked the Chair for the honor. She acknowledged that cooperation was necessary in organizations like this. She was grateful for the opportunity and was able to use her strategic planning skills in serving as Chair. To be honored in this way was gratifying. She thanked everyone on the Board for serving to represent their constituencies and encouraged them to keep up the great work and going forward. She gave kudos to staff for their hard work, the Executive Director and especially to Kelly for getting finance audits on track.

Mr. Sedillo thanked Ms. Romero on behalf of the Senator and thanked the board members for their hard work.

ACTION ITEMS FOR APPROVAL/DISCUSSION:

A. Public Hearing and Review of Proposed FY 13 Budget:

The FY 13 Budget was presented by Mr. Mortillaro and staff members. Mr. Mortillaro began with an overview of the budget. He briefly explained how it was divided into departments. He said they took a conservative approach on revenue projections. They experienced an decrease in funding from Los Alamos County. Their agreement was for five years and had no commitment beyond five years. They were being more conservative now in contributing to the NCRTD because of the uncertainties over federal funding of new LANL projects.

The District recently made a request for more funding from NMDOT to subplant GRT for $50,000 and anticipated receiving it.

He hoped that all bills for the Jim West Center would have been received before the end of the fiscal year and if not we might have to carry over some of them to be paid in FY 2013. He was thankful that they had been able to balance the budget. No new grants were anticipated. In July or August staff would present all adjustments to routes and would ask for Board approval of the routes at that time.

Two new full time positions were added to the budget. There is custodial service for the new building and before hiring someone would consider contracting it out through an RFP. There was also a facility maintenance position anticipated that would include landscaping, bus shelters, etc.

Contractual services would increase slightly and there were some other adjustments staff would address.

Allocations for regional services included Santa Fé Trails, The NM Railrunner and Atomic City Transit.

The Railrunner worked on a formula basis that depended on GRT revenue generated.

Mr. Vigil, as chair of the Finance Committee, made comments regarding their review of the budget and reported that the Finance Committee recommended approval of the budget to the Board.

Mr. Mortillaro asked several staff members to share in the budget presentation. He asked the Board to turn to page 24 for the revenue projections. Mr. López made the presentation on the revenue projections. Page 24 presented the summary; the break out for FY11 revenue; budget for FY12 and receipts year to date and the budget for FY13. He explained each of the sources of funding as shown in the packet and described the uses for the federal grants. He detailed the amounts that would be carried over into the new fiscal year from federal grants. He then went through the GRT revenues. He noted that Los Alamos County was pledging $500,000 for 2013 as their contribution to NCRTD. He said they were taking a conservative approach for the last three months of the fiscal year: March, April and May. They anticipated about $502,000 less this year from Los Alamos County. He briefly reviewed the GRT revenue from the other counties. He pointed out the bottom line that showed a deficit of $259,000 revenue. He felt confident they could balance the budget with position vacancies and other expenditure reductions.

Mr. Mortillaro presented the budget report for Administration. He explained the contractual obligations that included IT services.

Mr. Nagle presented the marketing report and reviewed the advertising budget. Most of the expense was in printing and production of schedules and other marketing pieces. It also was used for promotions. He would be focusing on community outreach in an effort to increase ridership.

Mr. López explained the increases necessitated by occupying the new facility including janitorial services, etc.

Ms. Muniz presented the budget report for Finance.

Mr. Kelly presented the budget report for Administration/Operations. Personnel was essentially flat and there had been no contractual services but would have some in the new facility. He commented on a few line items and said most were just minor adjustments. He went to the drivers' portion of the budget where again they just had minor adjustments.

Mr. Mortillaro spoke briefly about putting wireless internet on the buses.

The Fleet and Facility portion of the budget report was presented by Mr. Gus Martínez.

Mr. Mortillaro said fuel prices were fairly stable at the moment. They had some vehicles using diesel fuel which had gotten cheaper recently and were working on having wholesale rates instead of retail.

Mr. Bulthuis asked about the insurance costs. Money for the facility came from federal sources and the District needed to have enough coverage for replacement costs if ever needed.

Mr. Mortillaro said it would be adequately insured to meet that obligation.

Operations - non RTD was presented by Mr. Mortillaro. He explained that the non-RTD portion was for operations by partner entities covered in contractual obligations to provide regional services.

He also presented the capital portion of the budget which included the construction costs for the new facility as well as furniture and fixtures, a fueling facility, vehicle location software, mobile radios and new buses. He briefly addressed some of the changes that were made to improve the appearance of the new facility. Some carryover funds would be used for furniture and fixtures during FY13. Federal funds would also be used for shelter signage.

Chair Barrone commented on the water situation in the proposed parking area.

Mr. Vigil thanked Mr. Mortillaro and the staff for putting the presentation together, especially for Ms. Muniz who had additional responsibilities placed on her.

Commissioner Holian asked about having surplus vehicles in the fleet in case of a bus breakdown. Mr. Kelly replied that they kept sufficient vehicles to keep the system running in case of a break down. They had 20% replacement plan in place for that purpose. He explained that it took into account the various sizes of vehicles, some of which required CDL drivers. He agreed it was a tight ratio.

Commissioner Holian asked if that would be evaluated this year. Mr. Kelly agreed.

Ms. Valerio asked for clarification on the budget section that showed base salaries going down by $60,000 but number of positions going up. She asked how that was possible.

Mr. Mortillaro explained that this was the first year they had a good handle on the number of full-time, part-time and temporary positions so they could show the correct salaries and calculate the benefits accurately. He explained that some part-time drivers received benefits and others were without benefits. This year they made an effort to make it accurate from this time forward. The calculations were based on the routes that needed to be covered and took into account absences and illnesses of drivers that had to be covered by other drivers. Because of declining revenue they had to be very careful in the coverage.

Chair Barrone closed the public hearing.

B. Approval of Resolution No. 2012 - 10, FY 2012 Final Budget

Mr. Mortillaro had no additional comments on the budget.

Mr. Bulthuis moved to approve Resolution No. 2012-10 - FY 2012 Final Budget. Commissioner Trujillo seconded the motion and the motion passed by unanimous roll call vote with Taos County, Los Alamos County, Rio Arriba County, Santa Fé County, Pojoaque Pueblo, Santa Clara Pueblo, City of Española and City of Santa Fé voting in favor and none voting against.

Mr. Mortillaro said that the approved final budget would now be submitted to DFA for their approval.

Chairman Barrone thanked Mr. Mortillaro and staff for the thorough presentation on the budget.

Upon motion by Commissioner Holian, second by Mr. Vigil and unanimous voice vote, the Board took a five minute break.

C. Review and Adoption by Resolution No. 2012-09, Rider Suspension Policy

Mr. Kelly spoke about misbehaving riders and how they needed to address the issue so drivers could continue safe operation of the route. This policy would clarify that management would step in and direct the person not to ride the bus. He explained the details of the policy that were included in the packet. The policy provided for various levels of suspension and criteria to use in deciding to suspend a person from riding. The policy allowed for an investigation in cases where it was not clear.

Ms. Martínez excused herself from the meeting.

Ms. Valerio asked about what would happen if the driver didn't notice at first that the rider was intoxicated.

Mr. Kelly said that had happened from time to time. Depending on the disruption on the bus determined how it was to be handled. Sometimes the driver would put them off at the next stop and for those more disruptive, the driver would stop the bus at the next safe place and put the rider off the bus. Anytime bodily harm was likely, the driver would use that alternative.

Mr. Dwyer added that clear and comprehensive training for drivers would be provided so it could be done while maintaining the safety of all.

Mr. Mortillaro responded to another question about young children riding the bus and informed the Board that the District's policy was that they could provide transportation for riders from age 10 and up without parents being present. It was left up to the driver to ascertain the passenger was at least ten years old.

Ms. Trujillo said in the past the minimum age was 13 and the Board subsequently lowered it to 10. The policy included how to deal with disruptive children.

Mr. Mortillaro explained how the process was reflected in the policy for drivers to deal with those minors.

Chair Barrone raised an issue if an intoxicated rider was ejected on the road and subsequently was killed what liability the District would incur.

Mr. Dwyer said the driver was supposed to leave the rider at a safe and well-lighted area. That was not in the policy but in the driver training.

Mr. Kelly said they used the language of the federal motor carrier regulations in the training. So they were operating under the federal guidelines.

Mr. Rodgers said he understood the policy to suspend riders but wondered about allegations made against a driver and what the policy was for that.

Mr. Kelly described a situation where a specific rider made allegations against two different drivers and the investigation saw no reason to suspend either driver. If the allegation was serious enough, the District could suspend the driver.

Mr. Rodgers asked if the District's policy would allow for suspension of a driver for certain reasons. He wanted to make sure the policy covered such circumstances.

Mr. Dwyer responded that the personnel policies had enough flexibility to cover that situation.

Mr. Rodgers wanted to make sure it was a balanced approach.

Mr. Bulthuis asked how a determination made by the Executive Director or other supervisors about suspension of a rider would be communicated to the drivers and staff (internally).

Mr. Kelly said they would issue a memo and description of the person and also a photo if available.

Mr. Dwyer said the policy didn't cover requiring personal identification but would give a description of the individual.

Mr. Bulthuis said there was sometimes an issue of personality conflicts and Santa Fé Trails had not come up with a good way to deal with that. He suggested considering how best to deal with that would be important in training drivers.

Mr. Kelly agreed it would be included in training and if it persisted, some disciplinary action might be in order.

Commissioner Holian moved to approve Resolution 2012-09 - Rider Suspension Policy. Mr. Vigil seconded the motion and it passed by unanimous roll call vote with Taos County, Los Alamos County, Rio Arriba County, Santa Fé County, Pojoaque Pueblo, Santa Clara Pueblo and City of Santa Fé voting in the affirmative and none voting against. City of Española was not present for the vote.

D. Review and Adoption by Resolution No. 2012-08, Commercial Advertising Policy

Mr. Mortillaro explained an oversight by the past administration that allowed the advertising policy to expire and his desire to have a policy in place. He pointed out the policy that was included in the packet which was revised from Board member comments and feedback reflected in past minutes.

Mr. Nagle said the RTD would continue the policy as previously approved with some changes to clarify things and tighten things up. It included changes recommended by Mr. Dwyer as well. He said they would not interfere with branding of buses and limit wrapping of buses. The largest change was to add to the prohibition list. He reviewed the minutes from 2010 regarding trade outs and addressed that as well.

Mr. Dwyer made some comments about it in the context of freedom of speech considerations. It was a difficult area because the District needed to regulate some content. He used tobacco or alcohol as an example. He urged the Board members to look at that section of the policy. He reminded them that the District always reserved the right to deny some or all advertising on buses. The discretion went also to religious advertising. He thought this was a good policy. He said they discussed public service announcements a lot. There was an exception for PSAs that were found to be objectionable in some way.

Former Board member Elias Coríz was introduced to the Board.

Mr. White commented on the policy and pointed out some corrections and changes needed. The first was in section 1.2, regarding property being used for advertising to exclude "or managed by." In 2.5 he suggested adding "or controlled or managed by" in the policy. He also proposed a slight change in 3.8 that "facilities" be changed to "properties."

Mr. Dwyer accepted the proposed.

Commissioner Holian requested a change of two words in 5.3.4 of "is" to "are."

Commissioner Holian moved to approve Resolution 2012-08 - Amended NCRTD Advertising Policy as amended at this meeting. Ms. Valério seconded the motion and it passed by unanimous roll call vote with Taos County, Los Alamos County, Rio Arriba County, Santa Fé County, Pojoaque Pueblo, Santa Clara Pueblo, City of Santa Fé and City of Española voting in favor and none against.

E. Review and Adoption by Resolution No. 2012-11 Inspection of Public Records Policy

Mr. Mortillaro reviewed the policy for inspection of public records.

Mr. Nagle said it was important as a public entity to adhere to this policy. It was just an update and would serve as a guide for employees to respond to the requests. The changes were the result of updates to the IPRA. The policy included exhibits for the form and procedures. The policy included electronic requests and electronic files.

Chair Barrone moved to approve Resolution No. 2012-11 Inspection of Public Records as presented. Commissioner Holian seconded the motion and it passed by unanimous roll call vote with Taos County, Los Alamos County, Santa Fé County, Pojoaque Pueblo, Santa Clara pueblo, City of Santa Fé and City of Española voting in favor and none against. Rio Arriba County was not present for the vote.

F. Public Hearing and Approval of Resolution No. 2012-12 Adding the Town of Edgewood as New Member of the NCRTD

Mr. Mortillaro gave a brief overview of the request. A summary of the history was included in the packet. He took the liberty of doing the voting strength analysis which was included in the document. He used the analysis as amended in April, 2012. It would change the voting requirements.

Mr. Vigil said he had to step away from the meeting and his alternate was present to vote on motions for the Pojoaque Pueblo.

Chair Barrone thanked him for hosting the meeting.

Councilor Chuck Ring, Town of Edgewood thanked the Board for considering this request and confirmed the interest of the Town of Edgewood in becoming a member of NCRTD. He said the population of Edgewood was 3375. They had no plans to create a public transportation system. Their town was located in Santa Fé County and participated in GRT through the county.

After some discussion, the Board decided that further information regarding financial matters from Edgewood was needed.

Mr. Dwyer shared the rules involved and emphasized that the Board needed a good turnout for voting on this issue because a 2/3 vote was required.

Commissioner Holian requested this issue be brought back for a vote along with the information needed to be considered at the regular September meeting rather than August to have a good turnout.

There were no comments from the public regarding this matter and the public hearing was closed.

Commissioner Holian moved to table Resolution No. 2012-12 adding the Town of Edgewood as a New Member of the NCRTD to the regular September meeting. Commissioner Trujillo seconded the motion and it passed by unanimous voice vote.

G. Resolution No. 2012-13 Authorizing the Submittal of Applications for Federal Funding for Federal Fiscal Year 2014

Ms. Trujillo provided an overview of the resolution. She asked for approval of the resolution that would allow the District staff to file the letter of intent so the appropriate applications for federal assistance could be filed in August 2012.

Commissioner Trujillo moved to approve Resolution No. 2012-13 Authorizing the Submittal of Applications for Federal Funding for Federal Fiscal Year 2014. Commissioner Holian seconded the motion and it passed by unanimous roll call vote with Taos County, Los Alamos County, Rio Arriba County, Santa Fé County, Pojoaque Pueblo, Santa Clara Pueblo, City of Santa Fé and City of Española voting in favor and none voting against.

Commissioner Holian moved to recess the meeting for lunch. Commissioner Trujillo seconded the motion and it passed by unanimous voice vote.

The meeting reconvened when everyone got their food.

DISCUSSION ITEMS:

H. Update of the Jim West Regional Transit Center

Mr. Davenport provided an update on the completion of the Jim West Regional Transit Center. Mr. Mortillaro announced that August 17, 2012 was the date for ribbon cutting.

I. Financial Report for May 2012

Ms. Muniz provided a review of the financial report for May 2012 which was included in the packet.

J. Finance subcommittee Report

Mr. Mortillaro provided an overview of the Finance Subcommittee Report. The minutes of the Finance Subcommittee meeting on April 27, 2012 were included in the packet.

K. Tribal Subcommittee Report

Ms. Valério reported that there was no Tribal Subcommittee Report since their last meeting was in April. She had nothing further to report.

L. Executive Report for May 2012 and Comments from the Executive Director

Mr. Mortillaro referred to his report in the packet.

MATTERS FROM THE CHAIR

Chair Barrone said he had a tour of the facility and thought everyone would be pleased with it.

MATTERS FROM THE BOARD

Mr. Bulthuis announced the State Transit Association was hosting a training event for services to

seniors with a trainer of trainers from Washington DC in Los Lunas on June 20 and in Santa Fé on June 22. They were all-day events and had a minimal membership requirement but no other fee.

MISCELLANEOUS

The next meeting was scheduled for July 6, 9:00 as a location to be announced later.

ADJOURN

Commissioner Holian moved to adjourn the meeting. Mr. Bulthuis seconded the motion and it passed by unanimous voice vote.

The meeting was adjourned at 12:20 p.m.

Approved by:

Dan Barrone, Chair

Attest:

Geoff Rodgers, Secretary-Treasurer

Submitted by:

Elizabeth Martin , Stenographer